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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,686	03/30/2001	Thomas N. Turba	#RA 5362 (33012/309/101)	9229
27516	7590	12/29/2005	EXAMINER	
UNISYS CORPORATION			NGUYEN, MERILYN P	
MS 4773			ART UNIT	
PO BOX 64942			PAPER NUMBER	
ST. PAUL, MN 55164-0942			2163	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/822,686

Applicant(s)

TURBA ET AL.

Examiner

Merilyn P. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> .                  |

### **DETAILED ACTION**

1. In response to the communication dated 10/13/2005, claims 1-20 are pending in this office action.

#### ***Acknowledges***

2. Receipt is acknowledged of the following items from the Applicant:

The applicant's amendments dated 10/13/2005 have been considered and made of record.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 16, line 8, there is insufficient antecedent basis for "said responding means" in the claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall

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have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Glaser (US 6,058,264).

Regarding claim 1, Glaser discloses in a data processing system (Figs. 1-4) having a user terminal (Client Computer 102, Fig. 1) operated by a user which builds a service (See col. 3, lines 49-56) providing a related sequence of manipulations of data within a data base management system (RDBMS 126, Fig. 1) which responds to said service by executing an ordered sequence of command language script (See col. 4, lines 21-35) responsively coupled to said user terminal via a publicly accessible digital data communication network (Network Server 110, Fig. 1), the improvement comprising:

a. a data wizard (Extender Smart Guide 422, Fig. 4) which permits said user to specify said service as a plurality of discrete and independent steps (See Fig. 7A-7G) corresponding to said ordered sequence of command language script (See col. 6, lines 1-23 and col. 9, lines 20-31); and

b. a save component module within said data base management system which stores said plurality of discrete and independent steps for individual subsequent use (See col. 9, lines 14-40).

Regarding claim 6, Glaser discloses apparatus comprising:

a. a user terminal (Client Computer 102, Fig. 1) which makes a service request for modification of data within a data base (See col. 3, lines 49-56);

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- b. a data base management system (RDBMS 126, Fig. 1) responsively coupled to said user terminal via a publicly accessible digital data communication network (Network Server 110, Fig. 1) having a data base which honors said service request by execution of an ordered sequence of command language statements (See col. 4, lines 21-35); and
- c. a data wizard (Extender Smart Guide 422, Fig. 4) responsively coupled to said user terminal and said data base management system which permits said service request to be defined from said user terminal in accordance with a plurality of discrete and independent steps (See Fig. 7A-7G);
- d. a service storage module located within said database management system which stores said service request as said plurality of discreet and independent steps (See Figs. 7A-7G) within said data base for future individual use of each of said plurality of discreet and independent steps (See col. 9, lines 14-40).

Regarding claim 11, Glaser discloses a method of dynamically building a service which modifies data within a data base (Figs. 7A-7G, and col. 3, lines 49-56) from a user terminal (Client Computer 102, Fig. 1, Glaser at el.) coupled via a publicly accessible digital data network (Network Server 110, Fig. 1) to a remote data base management system (RDBMS 126, Fig. 1) which honors said service by executing an ordered sequence of command language script having a service building process (See cols. 6-9) Glaser teaches an ordered sequence of steps at Fig. 27 through Fig. 31. Glaser teaches an ordered sequence of steps at Fig. 7A through Fig. 7G. Glaser presents a subsequent

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discreet and independent step ordered subsequently to said previous discreet and independent step at Fig. 7C and col. 8, lines 5-10 wherein user can select to either adding, deleting or updating attributes. After chosen the desired attributes, the user click “next” to proceed next one of the order sequence of steps (Fig. 7D). This process repeats until user click “Finish” to complete the service (768, Fig. 7G). Glaser further discloses storing said completed service as a plurality of said discreet and independent steps within said remote data base management system for future individual use (See col. 9, lines 14-40).

Regarding claim 16, Glaser discloses an apparatus comprising:

- a. permitting means for permitting a user to access publicly accessible digital data communication network (See Browser 108, Fig. 1, and col. 3, line 67 to col. 4, line3);
- b. providing means (Database Server 122, Fig. 1) responsively coupled to said permitting means via said publicly accessible digital data communication network for providing data base management services (See col. 3, lines 50-56 and col. 4, lines 21-36);
- c. designing means (See col. 7, lines 18-25) responsively couple to said permitting means and said responding means for designing a service through specification of an ordered plurality of discreet and independent steps (See Figs. 7A-6G); and

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d. storing means (Storage device 124) located within said providing means for storing said service as said ordered plurality of discreet and independent steps for subsequent individual usage (See col. 9, lines 14-40).

Regarding claims 2, 7 and 18, Glaser discloses said publicly accessible digital data communication network further comprises the Internet (See col. 3, line 67 to col. 4, line 1).

Regarding claims 3, 9, 13-14 and 20, Glaser discloses said user terminal further comprises an industry compatible personal computer (Client Computer 102, Fig. 1, Glaser at el.) having a commercially available browser (Browser 108, Fig. 1).

Regarding claims 4, 8, and 17, Glaser discloses said data wizard permits said user to define and edit each step in said plurality of steps independently of each of the other steps in said plurality of steps (See col. 8, lines 14-16 and lines 30-54 and col. 9, lines 36-40, wherein each of said steps is edited independently of any other steps as the user can always go back and make modifications, See Figs. 7A-7G).

Regarding claim 5, 10, 15, and 19, Glaser inherently discloses a commercial data base management system (See col. 3, lines 49-56, wherein Glaser system is primarily targeted to enterprise customers. Since the system targets on enterprise customers, the system relating to economic business thus datable management system of Glaser is commercially).

Regarding claim 12, Glaser further discloses editing said first discrete and independent step without modification to said second discrete and independent step (See col. 8, lines 14-16 and lines 30-54 and col. 9, lines 36-40, wherein each of said steps is edited independently of any other steps as the user can always go back and make modifications, See Figs. 7A-7G).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marilyn P Nguyen whose telephone number is 571-272-4026. The examiner can normally be reached on M-F: 8:30 - 5:00.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*MN*

MN

December 21, 2005

*Frantz Coby*  
**FRANTZ COBY**  
**PRIMARY EXAMINER**